

Original

By Christie

Christie

S.B. 886

A BILL

To Be Entitled

An Act amending Section 2, of the Special Laws of the 46th Legislature, 1939, page 531 (Article 7466e-1, Vernon's Civil Statutes of Texas), so as to change the term of office of the Rio Grande Compact Commissioner from two (2) years to six (6) years; providing for his duties and expenses; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Section 2, of the Special Laws of the 46th Legislature, 1939, page 531 (Article 7466e-1, Vernon's Civil Statutes of Texas) be amended so as to read as follows:

"Sec. 2. The governor, with the advice and consent of the senate, shall appoint a commissioner to represent this state on the commission established by Article XII of the compact. The commissioner holds office for a term of six years and until his successor is appointed and has qualified. The commissioner shall take the constitutional oath of office and shall also take an oath to faithfully perform his duties as commissioner. The commissioner is entitled to compensation as provided by legislative appropriation. On submission of detailed, sworn accounts, he is entitled to reimbursement for actual expenses incurred while traveling in the discharge of his duties. The commissioner, in conjunction with the other members of the commission and as authorized by legislative appropriation, may employ engineering and clerical personnel and may incur necessary office expenses and other expenses incident to the proper performance of his duties and the proper administration of the compact. However, the commissioner shall not incur any financial obligation on behalf of this state until the legislature has authorized and appropriated money for the obligation. The commissioner is

responsible for administering the provisions of the compact, and he has all the powers and duties prescribed by the compact."

Sec. 2. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Sec. 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.


Austin, Texas

April 13, 1971

Hon. Ben Barnes
President of the Senate

Sir:

We, your Committee on State Departments and Institutions,
to which was referred S.B. No. 886, have had the same
under consideration, and I am instructed to report it back to
the Senate with the recommendation that it do _____
pass _____ and be _____ printed.


Chairman

Bill Analysis

BACKGROUND INFORMATION:

PURPOSE OF THE BILL:

To change the term of office of the Rio Grande Compact Commissioner to six years (formerly 2 years) and to remove a temporary \$250 per month salary provision.

SECTION BY SECTION SUMMARY:

Section 1: Amends Section 2 of Article 7466e-1, VTCS, which Section concerns the commissioner who represents Texas on the commission created by the Rio Grande Compact.

Section 2. Is essentially changed only in the following ways: the term of office is changed to six years (formerly 2 years) a provision stating that until otherwise provided by law, the commissioner's salary will be \$250 per month is removed.

Section 2: Severability clause.

Section 3: Emergency clause.

Amendment No. 1

By Christi

Amend S. B. 886 by striking the caption, substituting in lieu thereof the following:

"An Act amending Section 2, of the Special Laws of the 46th Legislature, 1939, page 531 (Article 7466e-1, Vernon's Civil Statutes of Texas; also known as Section 41.004 of the Texas Water Code), so as to change the term of office of the Rio Grande Compact Commissioner from two (2) years to six (6) years; providing for his duties and expenses; and declaring an emergency."

ADOPTED

MAY 13 1971

Charles Schuck

SECRETARY OF SENATE

(#1)

Amendment No. 2

By Cheney

Amend Section 1 of S. B. 886 by striking the introductory language, substituting in lieu thereof the following;

"Section 1. That Section 2, of the Special Laws of the 46th Legislature, 1939, page 531 (Article 7466e-1, Vernon's Civil Statutes of Texas; also known as Section 41.004 of the Texas Water Code) be amended so as to read as follows:"

ADOPTED

MAY 13 1971

Charles G. Huels
SECRETARY OF SENATE



Amend caption to conform to body
of bill.

Std No
886

ADOPTED

MAY 12 1911

Wm. J. Smith

SECRETARY OF SENATE

#3

By: Christie

S. B. No. 886

A BILL TO BE ENTITLED

AN ACT

amending Section 2, Chapter 3 of the Special Laws of the
46th Legislature, 1939 (Article 7466e-1, Vernon's Texas
Civil Statutes; also known as Section 41.004 of the Texas Water
Code), so as to change the term of office of the Rio Grande
Compact Commissioner from two (2) years to six (6) years; providing
for his duties and expenses; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Section 2, Chapter 3 of the Special Laws of
the 46th Legislature, 1939 (Article 7466e-1, Vernon's Texas
Civil Statutes; also known as Section 41.004 of the Texas Water
Code), be amended so as to read as follows:

"Section 2. The Governor, with the advice and consent of the
Senate, shall appoint a commissioner to represent this State on the
commission established by Article XII of the compact. The
commissioner holds office for a term of six (6) years and until his
successor is appointed and has qualified. The commissioner shall
take the constitutional oath of office and shall also take an oath
to faithfully perform his duties as commissioner. The commissioner
is entitled to compensation as provided by legislative
appropriation. On submission of detailed, sworn accounts, he is
entitled to reimbursement for actual expenses incurred while
traveling in the discharge of his duties. The commissioner, in
conjunction with the other members of the commission and as
authorized by legislative appropriation, may employ engineering and
clerical personnel and may incur necessary office expenses and

other expenses incident to the proper performance of his duties and the proper administration of the compact. However, the commissioner shall not incur any financial obligation on behalf of this State until the Legislature has authorized and appropriated money for the obligation. The commissioner is responsible for administering the provisions of the compact, and he has all the powers and duties prescribed by the compact."

Sec. 2. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Sec. 3. The importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended; and that this Act take effect and be in force from and after its passage, and it is so enacted.

1 By: Christie S. B. No. 886
2 (In the Senate. --Constitutional Rule (Sec. 5. Art. III) and Senate Rule 108
3 suspended by vote of 31 yeas, 0 nays, to introduce bill; March 24, 1971,
4 read, referred to Committee on State Departments and Institutions; April
5 13, 1971, reported favorably; May 13, 1971, read second time and ordered
6 engrossed, as amended; May 13, 1971, caption ordered amended to conform
7 to body of bill; May 13, 1971, Senate and Constitutional 3-Day Rules
8 suspended by vote of 31 yeas, 0 nays to place bill on third reading and
9 final passage; May 13, 1971, read third time and passed by 31 yeas, 0
10 nays; May 13, 1971, vote by which finally passed ordered reconsidered by
11 unanimous consent; May 13, 1971, amended and finally passed by a vote
12 of 31 yeas, 0 nays.)

13 CHARLES SCHNABEL
14 Secretary of the Senate

15 May 13, 1971, Engrossed.

16 BEA LEWIS
17 Engrossing Clerk

18 May 13, 1971, Sent to House.

19 May 13, 1971, Received from the Senate.

20 DOROTHY HALLMAN

21 Chief Clerk, House of Representatives

22 (In the House. --May 17, 1971, read first time and referred to Committee
23 on Governmental Affairs and Efficiency: May 24, 1971, reported favorably
24 by a unanimous voice vote, sent to Printer.)

25 A BILL

26 TO BE ENTITLED

27 AN ACT amending Section 2, Chapter 3 of the Special Laws of the 46th
28 Legislature, 1939 (Article 7466e-1, Vernon's Texas Civil
29 Statutes; also known as Section 41.004 of the Texas Water
30 Code), so as to change the term of office of the Rio Grande
31 Compact Commissioner from two (2) years to six (6) years;
32 providing for his duties and expenses; and declaring an
33 emergency.

34 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

35 Section 1. That Section 2, Chapter 3 of the Special Laws of the 46th
36 Legislature, 1939 (Article 7466e-1, Vernon's Texas Civil Statutes; also
37 known as Section 41.004 of the Texas Water Code), be amended so as to
38 read as follows:

39 "Section 2. The Governor [shall], with the advice and consent of the Senate,
40 shall appoint a commissioner [, who shall represent the State of Texas on
41 the Commission provided for by Article XII of the Rio Grande Compact and
42 who shall be charged with the administration of the provisions of said
43 Compact, and who shall have the powers and discharge the duties prescribed
44 by the terms of said Compact.] to represent this State on the commission
45 established by Article XII of the compact. [Such] The commissioner [shall]
46 holds office for a term of six (6) [two (2)] years and until his successor is
47 appointed and has qualified. The commissioner shall take the constitutional
48 oath of office and shall also take an oath to faithfully perform his duties as
49 commissioner. The commissioner is entitled to compensation as provided
50 by legislative appropriation. On submission of detailed, sworn accounts, he
51 is entitled to reimbursement for actual expenses incurred while traveling in
52 the discharge of his duties. The commissioner, in conjunction with the
53 other members of the commission and as authorized by legislative
54 appropriation, may employ engineering and clerical personnel and may incur
55 necessary office expenses and other expense incident to the proper
56 performance of his duties and the proper administration of the compact.
57 However, the commissioner shall not incur any financial obligation on
58 behalf of this State until the Legislature has authorized and appropriated
59 money for the obligation. The commissioner is responsible for administer-
60 ing the provisions of the compact, and he has all the powers and duties

1 prescribed by the compact. " [He shall take oath of office as prescribed by
2 the Constitution and, in addition thereto, he shall take oath to faithfully
3 perform the duties incumbent upon him as such Commissioner. He shall
4 receive from time to time such compensation as may be allowed by the
5 Legislature, and, until otherwise provided by law, he shall receive a
6 salary of Two Hundred and Fifty Dollars (\$250) a month. He shall be
7 allowed his actual expenses when traveling in the discharge of his duties,
8 on his sworn account showing such expenses in detail. In conjunction with
9 the other members of said Commission, he may appoint such engineering
10 and clerical aid as may be authorized by the Legislature of Texas and he
11 may incur necessary office expenses and other expenses incident to the
12 proper performance of his duties and the proper administration of the
13 provisions of the Rio Grande Compact. But such Commissioner shall
14 incur no financial obligation on behalf of the State of Texas until the
15 Legislature shall have provided and appropriated money therefor.]

16 Sec. 2. If any provision of this Act or the application thereof to any
17 person or circumstances is held invalid, such invalidity shall not affect
18 other provisions or applications of the Act which can be given effect with-
19 out the invalid provision or application, and to this end the provisions of
20 this Act are declared to be severable.

21 Sec. 3. The importance of this legislation and the crowded condition of
22 the calendars in both Houses create an emergency and an imperative
23 public necessity that the Constitutional Rule requiring bills to be read on
24 three several days in each House be suspended, and this Rule is hereby
25 suspended; and that this Act take effect and be in force from and after
26 its passage, and it is so enacted.

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 COMMITTEE REPORT

29 COMMITTEE ROOM

30 Austin, Texas, May 24, 1971

31 Hon. G. F. (Gus) Mutscher, Speaker of the House of Representatives.

32 SIR: We, your Committee on Governmental Affairs and Efficiency, to
33 whom was referred S. B. No. 886, have had the same under consideration
34 and beg to report back with recommendation that it do pass, and be printed.

35 Will L. Smith, Chairman

36

 BILL ANALYSIS

37 BACKGROUND INFORMATION:

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39 PURPOSE OF THE BILL:

40 To change the term of office of the Rio Grande Compact Commissioner
41 to six years (formerly 2 years) and to remove a temporary \$250 per month
42 salary provision.

43 SECTION BY SECTION SUMMARY:

44 Section 1: Amends Section 2 of Article 7466e-1, VTCS, which Section
45 concerns the commissioner who represents Texas on the Commission
46 created by the Rio Grande Compact.

47 Section 2. Is essentially changed only in the following ways: the term
48 of office is changed to six years (formerly 2 years) a provision stating
49 that until otherwise provided by law, the commissioner's salary will be
50 \$250 per month is removed.

51 Section 2: Severability clause.

52 Section 3: Emergency clause.

53 SUMMARY OF COMMITTEE ACTION

54 Passed by a unanimous voice vote.

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AN ACT

amending Section 2, Chapter 3 of the Special Laws of the 46th Legislature, 1939 (Article 7466e-1, Vernon's Texas Civil Statutes; also known as Section 41.004 of the Texas Water Code), so as to change the term of office of the Rio Grande Compact Commissioner from two (2) years to six (6) years; providing for his duties and expenses; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Section 2, Chapter 3 of the Special Laws of the 46th Legislature, 1939 (Article 7466e-1, Vernon's Texas Civil Statutes; also known as Section 41.004 of the Texas Water Code), be amended so as to read as follows:

"Section 2. The Governor, with the advice and consent of the Senate, shall appoint a commissioner to represent this State on the commission established by Article XII of the compact. The commissioner holds office for a term of six (6) years and until his successor is appointed and has qualified. The commissioner shall take the constitutional oath of office and shall also take an oath to faithfully perform his duties as commissioner. The commissioner is entitled to compensation as provided by legislative appropriation. On submission of detailed, sworn accounts, he is entitled to reimbursement for actual expenses incurred while traveling in the discharge of his duties. The commissioner, in conjunction with the other members of the commission and as authorized by legislative appropriation, may employ engineering and clerical personnel and may incur necessary office expenses and

other expenses incident to the proper performance of his duties and the proper administration of the compact. However, the commissioner shall not incur any financial obligation on behalf of this State until the Legislature has authorized and appropriated money for the obligation. The commissioner is responsible for administering the provisions of the compact, and he has all the powers and duties prescribed by the compact."

Sec. 2. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Sec. 3. The importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended; and that this Act take effect and be in force from and after its passage, and it is so enacted.

S. B. No. 886

Lieutenant Governor

Speaker of the House

I hereby certify that S. B. No. 886 passed the Senate on
May 13, 1971, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S. B. No. 886 passed the House on
May 31, 1971, by the following vote: Yeas 141, Nays 0.

Chief Clerk of the House

Approved:

6-8-71

Date

Signed

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4:15 PM O'CLOCK

JUN 9 1971

.....
Secretary of State

Christie

JUN 1 1971

S.B. No. 886
S.J.R.

By Chun

An Act to change the term of office of the Rio Grande Compact Commissioner from two (2) years to six (6) years.

Constitutional Rule (Sec. 3, Art. III) and Senate Rule 105 suspended by vote of 31 yeas, 0 nays, to introduce bill.

Filed with the Secretary of the Senate
MAR 24 1971 Read, referred to Committee on State Departments and Institutions
APR 13 1971 Reported favorably.
Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.
Ordered not printed.
Senate and Constitutional Rules to permit consideration suspended by unanimous consent.
_____ yeas, _____ nays.
To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.

MAY 13 1971 Read second time and ordered engrossed, as amended
MAY 13 1971 passed to third reading.
Caption ordered amended to conform to body of bill.
MAY 13 1971 Senate and Constitutional 3-Day Rules suspended by vote of 31 yeas, 0 nays to place bill on third reading and final passage.

MAY 13 1971 Read third time and passed by a viva voce vote
31 yeas, 0 nays.

OTHER ACTION: MAY 13 1971
* Vote by which finally passed
reconsidered by
unanimous consent
MAY 13 1971
Amended and finally
passed by a vote of 3 yeas, 0 nays
Charles Schnabel
Secretary of the Senate

5-13-71 Engrossed
MAY 13 1971 Sent to HOUSE

ENGROSSING CLERK

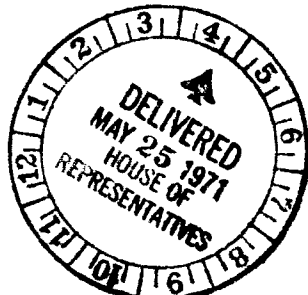
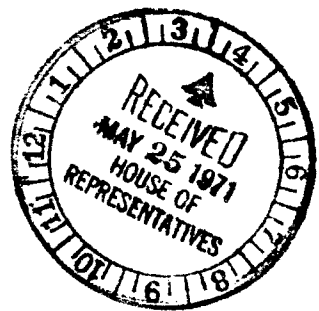
MAY 17 1971

Received from
the Senate

Dorothy Hallman
Chief Clerk, House of Representatives

MAY 17 1971 READ 1st TIME
REFERRED TO COMMITTEE ON
Governmental Affairs
& Efficiency
Dorothy Hallman
Chief Clerk, House of Representatives

MAY 24 1971 REPORTED FAVORABLY SENT TO PRINTER



MAY 25 1971
W. S. S. S.

PRINTED, DISTRIBUTED AND
REFERRED TO COMMITTEE ON
RULES 4:15 P. M. MAY 25 1971
(Time) (Date)

MAY 27 1971

AB 886

Motion to suspend all necessary rules to
consider prevailed by non-record vote.

MAY 31 1971
RETURNED
FROM HOUSE

Dorothy Hallman

Chief Clerk, House of Representatives

MAY 27 1971

Read Second Time,
and passed to third reading by non-
record vote
of _____ ayes, _____ nays.

Dorothy Hallman

Chief Clerk, House of Representatives

MAY 27 1971

Read third time

and Passed

by following vote: yeas 141

Nays 0

Dorothy Hallman

Chief Clerk

HOUSE OF REPRESENTATIVES

MAY 29 1971

Constitutional

Rule requiring bills to be read on
three several days suspended by
A four-fifths vote.

Yeas _____ Nays _____

Dorothy Hallman

Chief Clerk, House of Representatives

MAY 29 1971

MOTION TO RECONSIDER THE VOTE BY
WHICH AB 886 WAS
ADOPTED / PASSED AND TO TABLE THE MOTION TO RECON-
SIDER PREVAILED PASSED BY A non-record VOTE OF

AYES AND _____ NAYES

Dorothy Hallman

CHIEF CLERK HOUSE OF REPRESENTATIVES

MAY 31 1971. RETURNED TO SENATE